

REMARKS

Applicants have carefully reviewed the arguments presented in the Office Action and respectfully request reconsideration of the claims in view of the remarks presented below.

Claims 3, 18-20, 23 and 24 have been canceled. Claims 1, 6-7 and 10 have been amended. Accordingly, claims 1-2, 4-17, 21-22 and 25 are pending.

Applicant thanks the Examiner for the indication that claims 21, 22 and 25 are allowed.

Claims 1 and 7, as will be discussed more fully below, were amended. No new matter was added. Applicants believe that the amendments are consistent with the reasons for allowance provided by the Examiner for claims 21, 22 and 25 and thus place the claims in condition for allowance without requiring any additional searching or analysis by the Examiner.

Claims 6 and 10 were objected to for various reasons. Applicants have amended those claims to address the Examiner's objections and to correct inadvertent typographical errors. Applicants respectfully submit that these claims are now in a proper form for allowance.

Claims 7-10 and 14-16 were rejected under 35 U.S.C. 102(b) as being anticipated by Pitt et al. (US Patent No. 4,696,543). Applicants respectfully traverse these rejections in view of the amendments made to the claims.

Claim 7 was amended to recite that the flexible barrier material is disposed and hermetically sealed about an outer diameter of an optical fiber, and that there is no liquid disposed between the flexible barrier material and the outer diameter of the optical fiber, and that a hydrogen scavenging material is applied to an inside wall of the flexible barrier material for preventing permeation of fluid or gas through the flexible barrier material. Neither Pitt, nor any of the other cited art teach or even suggest such a combination. Accordingly, Applicants respectfully request that the rejections be withdrawn and that amended claim 7 and all of the claims dependent therefrom be allowed.

Claims 1, 2, 4, 5, 13, 21 and 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Pitt et al. in view of US Patent No. 6,442,304 issued to Crawley et al. Applicants respectfully traverse these rejections in view of the amendments made to the claims.

Independent claim 1 has been amended to recite a flexible tube that surrounds an optical fiber such that there is no liquid to be found between the flexible tube and the optical fiber. Moreover, claim 1 was amended similarly to claim 7, reciting that the flexible tube is hermetically sealed and has an inner wall that is coated with a hydrogen scavenging material. As stated above, there is nothing either in Pitt, Crawley, or any other of the cited art, taken alone or in combination, that teaches or even suggests the novel combination of elements claimed by Applicants in amended claim 1. For these reasons, Applicants believe that claim 1 is novel and not obvious, and respectfully request that the rejections be withdrawn and that claim 1, and the dependent therefrom, be allowed.

CONCLUSION

Applicants have carefully reviewed the arguments presented in the Office Action and respectfully request reconsideration of the claims in view of the remarks presented. In light of the above amendments and remarks, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Should the Examiner have any questions concerning the above amendments and arguments, or any suggestions for further amending the claims to obtain allowance, Applicants request that the Examiner contact Applicants' attorney, John Fitzgerald, at 310-242-2667.

Applicants believe that there are no fees payable with this response, however, the Commissioner is authorized to charge any additional fees in this matter to our Deposit Account No. 06-2425.

Date: December 3, 2007

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By: /john k. fitzgerald/
John K. Fitzgerald
Registration No. 38,881

JKF:vmm

Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24201
206641.1